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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,128	01/25/2001	Ranjan Chatterjee	SST99002	6700

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EXAMINER

KIANERSI, MITRA

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/771,128	CHATTERJEE ET AL.	
	Examiner	Art Unit	
	Mitra Kianersi	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's argument filed on June 21/2004 has been fully considered, but they are not persuasive.

Applicant on page 7, line 6 has amended the claims to include the signal received is sent via a Generic Equipment Model (GEM) or an Electronics Assembly Machine Communication (EA) protocol and Applicant on page 7, line 11 argues that analysis of Guheen reveals that these limitations are neither taught nor suggested by this system. Guheen et al. On col 74, lines 38-45 and also on Fig.26C disclose email content filtering which allow organizations to define and enforce e-mail policies to ensure the appropriate email content. Application development security toolkits allow programmers to integrate privacy, authentication, and additional security features into applications by using a cryptography engine and toolkit. Guheen also disclose Firewall Service Protects resources on a private network from users of other networks Filters network traffic based on security rules Provides alarm notification of attacks Provides logging and reporting functions Provides port and traffic control. Applicant also on page 7, line 8, disclose that a user defined action is executed in response to a statistical processing of the received signal; and the user is alarmed in response to the user defined action. Guheen on col 82, lines 44-48, statistical process control tools are used to analyze the results obtained with the measurement tools. These display trends that can be used as the basis for process improvement or, in other cases, product rework. Also, on Web Performance Monitoring Capabilities Monitors production web site performance and traffic Provides automatic alarm for performance thresholds Generates reports based upon past performance.

Because the arguments with respect to the allowableness of independent claims were found unpersuasive, these same arguments are not persuasive with respect to the other dependent claims.

Claims 1-30 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Guheen et al. (US 6,536,037).

1. As per claim 1, a method for alarming a user based on an event, the method comprising the steps of: identifying a predetermined portion of the at least one signal; the signal sent via a Generic Equipment Model (GEM) or an Electronics Assembly Machine Communication (EA) protocol; (Guheen et al. On col 74, lines 38-45 and also on Fig.26C disclose email content filtering which allow organizations to define and enforce e-mail policies to ensure the appropriate email content. Application development security toolkits allow programmers to integrate privacy, authentication, and additional security features into applications by using a cryptography engine and toolkit). (In operation 28 of FIG. 1, identifies alliances among various business entities in certain components of a system. To accomplish this, the components of the system are indicia coded to indicate in which components of the system alliances exist between various business entities, i.e. companies, etc. This enables one to effectively discern how to use products in the components of the system where such alliances exist. The procedure for performing operation 28 begins by identifying at least one alliance among

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a plurality of business entities in terms of components of a current network framework, col 13, lines 31-41).

executing a user defined action in response to a statistical processing of the predetermined portion of the at least one signal; (end-user execution environment, col 34, lines 1-2) and generating a plurality of metrics and alarming the user in response to the user defined action. (Guheen on col 82, lines 44-48, statistical process control tools are used to analyze the results obtained with the measurement tools. These display trends that can be used as the basis for process improvement or, in other cases, product rework. Also, on Web Performance Monitoring Capabilities Monitors production web site performance and traffic Provides automatic alarm for performance thresholds Generates reports based upon past performance) and (Problem Management tools log information about problems detected, classifies them, and generates reports. This is essential for capturing metrics information, col 93, lines 65-67).

2. As per claims 3 and 22, the method wherein the step of executing comprises the step of assigning a user defined action to the predetermined portion of the at least one signal. (The development environment is a production environment for one or several systems development projects as well as for maintenance efforts. It requires the same attention as a similarly sized end-user execution environment, col 33, lines 66-67) and (col 34, lines 1-2).

3. As per claims 4, 15 and 23, the method wherein the step of assigning comprises the step of associating a timer with the predetermined portion of the at least one signal. (It may be necessary to depict control flows. The tool may represent these as data flows without any data elements, such as, for example, a signal from a timer function, col 101, lines 50-52)

4. As per claims 5, 16 and 24, the method wherein the step of generating a plurality of metrics comprises the step of processing the plurality of metrics in real time. (Provide real time monitoring and interactive tuning of the environment, col 157, lines 62-64).

5. As per claims 6, 17 and 25, the method wherein the step of generating a plurality of metrics comprises the steps of accessing a data store having a plurality of stored

data, (Caching Server detects images and automatically compresses them for quick storage and access, col 27 and col 28, client 3 caching server) and processing the plurality of metrics over a predetermined time. (In operation 2210, shown in FIG. 78, the content channels component of the present invention also permits generation of messages which may be sent to selected users at predetermined times or automatically upon occurrence of a particular event, col 210, lines 62-66).

6. As per claim 7, 18 and 26, the method further comprises the step of displaying the plurality of metrics. (Dynamic Rendering Displays content and applications based on profile Pulls content from multiple data sources, col 211, lines 24-25)

7. As per claims 8, 19 and 27, the method wherein the step of displaying the plurality of metrics comprises the step of generating a predefined graphical representation of at least one metric in the plurality of metrics. (It is common in presentations and the like to present and convey information through graphic representations, col 7, lines 14-17)

8. As per claims 9 and 28, the method wherein, the step of generating the predefined graphical representation comprises the step of choosing a graph style for the at least one metric. (these representations may take a variety of forms, such as alphanumeric characters, various sorts of graphs, as well as images of physical objects rendered on various mediums such as a computer display, paper product, transparency, etc. For example, various graphics such as line graphs, bar charts and pie charts have been quite popular in the presentation of business data such as sales, budgets and the like, col 7, lines 14-17).

9. As per claims 10 and 29, the method wherein the step of displaying comprises the steps of accessing the driven controller from a remote display, and sending to the remote display a terminal signal having at least one metric. (video display controller, col 270, line 56) and (controller of an administrative activity can determine whether a

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certain activity has occurred at some point, or during a certain period, in the past for example, certain use of a commercial electronic content product and/or appliance. Such determinations can then be used as part of pricing and/or control strategies of a content and/or appliance provider, and/or controller of an administrative activity, col 274, lines 33-40).

10. As per claims 11 and 30, the method wherein the step of sending comprises the step of encoding the terminal signal as an Internet web signal. (Web Architecture framework)

11. As per claim 12, an event driven controller apparatus receiving at least one signal, the signal sent via a Generic Equipment Model (GEM) or an Electronics Assembly Machine Communication (EA) protocol, the apparatus comprising: a filter that identifies a predetermined portion of the at least one signal send via the Generic Equipment Model (GEM) or an Electronics Assembly Machine Communication (EA) protocol, (Event Management receives, logs, classifies and presents event messages on a console(s) based on pre-established filters or thresholds, col 135, lines 48-52). and a controller for executing a user defined action in response to a statistical processing of the predetermined portion of the at least one signal to generate a plurality of metrics. (Guheen on col 82, lines 44-48, statistical process control tools are used to analyze the results obtained with the measurement tools. These display trends that can be used as the basis for process improvement or, in other cases, product rework. Also, on Web Performance Monitoring Capabilities Monitors production web site performance and traffic Provides automatic alarm for performance thresholds Generates reports based upon past performance) and (execute control methods to enact electronic information usage control and/or administration models, col 256, lines 60-62).

12. As per claim 13, the apparatus wherein the filter identifies an event contained in an event trigger list from the at least one signal. (In order to reduce bandwidth, it is preferable that event filtering be performed locally to avoid sending all event information

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across the network, utilizing bandwidth and central processing capability unnecessarily, col 162, and lines 55-58).

13. As per claim 14, the apparatus wherein the controller associates a user defined action to the predetermined portion of the at least one signal. (WAF can further be used to enable commercially provided electronic content to be made available to users in user defined portions, rather than constraining the user to use portions of content that were "predetermined" by a content creator and/or other provider for billing purposes, col 250, lines 62-67).

14. As per claim 20, a computer usable medium having computer readable program code means embodied therein receiving at least one signal, the computer readable program code, comprising: means having computer readable program code for identifying a predetermined portion of the at least one signal, the signal sent via a Generic Equipment Model (GEM) or an Electronics Assembly Machine Communication (EA) protocol, means having computer readable program code for executing a user defined action in response to a statistical processing of the predetermined portion of the at least one signal, and means having computer readable program code generating a plurality of metrics and alarming the user in response to the user defined action. (In operation 28 of FIG. 1, identifies alliances among various business entities in certain components of a system. To accomplish this, the components of the system are indicia coded to indicate in which components of the system alliances exist between various business entities, i.e. companies, etc. This enables one to effectively discern how to use products in the components of the system where such alliances exist. The procedure for performing operation 28 begins by identifying at least one alliance among a plurality of business entities in terms of components of a current network framework, col 13, lines 31-41) and (Guheen on col 82, lines 44-48, statistical process control tools are used to analyze the results obtained with the measurement tools. These display trends that can be used as the basis for process improvement or, in other cases, product rework. Also,

on Web Performance Monitoring Capabilities Monitors production web site performance and traffic Provides automatic alarm for performance thresholds Generates reports based upon past performance) and (Problem Management tools log information about problems detected, classify them, and generate reports. This is essential for capturing metrics information, col 93, lines 65-67).

Conclusion

The action is made final. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mitra Kianersi
Jan/27/2005

V. Martin Wallace
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